

Board asks attorney general about inspector general's authority

■ Request follows audit of school system's handling of Seven Locks project; IG says County Council has been clear about his role

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The county school board will ask the state's Attorney General for an opinion if the county's inspector general has the jurisdiction to conduct audits of the school system.

The request, which the board approved Thursday, follows the Feb. 15 release of an audit in which Inspector General Thomas J. Dagley questioned the board's actions in approving a \$14 million plan to build a replacement for Seven Locks Elementary School on Kendale Road in Potomac.

Board member Stephen N. Abrams (Dist. 2) of Rockville has led the charge on questioning the inspector general's authority.

Abrams, chairman of the board's Audit Committee, responded to a draft of Dagley's report with a five-page letter on Feb. 7. Abrams wrote that two legal opinions he solicited con-

cluded "that state law does not provide such authority to the Inspector General."

The audit was within the legal bounds established by the county's inspector general law, Dagley said Tuesday.

"I continue to be guided by the County Council and any legal opinions or rulings regarding the Office of Inspector General's authority," he said. "... It's clear to me, with the issue having been discussed a number of times by the County Council since I got here. Since I've been the inspector general, I've received all or most of the information I've requested relative to audits and the work this office has performed."

On Friday, Abrams recalled the relationship the board had with Dagley's predecessor, Norman D. Butts, who, Abrams said, worked with the school system to review its operations, including its transportation department.

"When you have a collaborative work plan, you're not playing gotcha IG politics," Abrams

said. "We have a new person in [the inspector general's] office and a very activist County Council that is doing anything they can to expand their power."

County Councilman Michael L. Subin (D-At large) of Gaithersburg, in a scathing memo to Dagley on April 11, wrote that he would not request a peer review of Dagley's report on Seven Locks.

"I do so not because I think that your office would have passed professional scrutiny, because I do not, but because that it is in the best interest of the children to hope that this issue will resolve itself without further ado," wrote Subin, chairman of the council's Education Committee.

Subin questioned how Dagley could limit the scope of his audit to just a "slice of the entire process" for planning the Seven Locks project. He also cited a 1964 state Court of Appeals opinion that said, in part, "The Board of Education is not a part of the executive branch of the county government nor an agency under its control."

Subin and Abrams have said the Seven

Locks audit was politically motivated.

"You were either duped by several citizens or by one of two, if not both, council offices," Subin wrote in his memo to Dagley.

Abrams agreed.

"I'm putting the most positive spin on that for the IG," he said. "That he was trying to ingratiate himself to council members Leventhal and Denis."

Councilman Howard A. Denis (B-Dist. 1) of Chevy Chase, who represents Potomac, has praised Dagley's work on Seven Locks audit, which led Denis to propose rebuilding the school at its current site on Seven Locks Road.

Dagley would not respond to Subin's memo.

Council President George L. Leventhal questioned Abrams' motives for attacking Dagley.

Dagley has a "number of items on his work plan that affect the school system" including whether the board has violated the state's open meetings law, said Leventhal (D-At large) of Takoma Park.

"I'm very curious what Mr. Abrams is trying to hide from the IG," he said. "I'm very curious why Mr. Abrams is so worried about public inquiry."



Dagley



Subin